

U.S. ENVIRONMENTAL PROTECTION AGENCY  
POLLUTION/SITUATION REPORT  
Deferiet Paper Mill RV3 - Removal Polrep  
Initial and Final Removal Polrep



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Region II

**Subject:** POLREP #1  
Initial and Final  
Deferiet Paper Mill RV3  
A26F  
Deferiet, NY  
Latitude: 44.0391100 Longitude: -75.6807500

**To:** Peter Lopez, US EPA  
Walter Mugdan, US EPA  
Angela Carpenter, US EPA  
John Prince, US EPA  
Eric Wilson, US EPA  
Joseph Rotola, US EPA  
Margaret Gregor, US EPA  
Mark Pane, US EPA  
Dan Harkay, US EPA  
Keith Glenn, US EPA  
Tim Grier, US EPA  
Argie Cirillo, US EPA  
Michael Basile, US EPA  
Mary Gladowski, US EPA  
George Zachos, US EPA  
Kimberly Staiger, US EPA  
Bonnie Hriczko, US EPA  
Beckett Grealish, US EPA  
Diane Lazinsky, US DOI  
Michael Ryan, NYSDEC  
Peter Taylor, NYSDEC  
James Meacham, NYSDOL  
Lou Carrock, NYSDOL  
Janet Zando, Village of Deferiet  
Tim Irey, Village of Deferiet  
Patrick Storms, Brookfield Energy

**From:** Joel Petty, On-Scene Coordinator  
**Date:** 12/12/2018  
**Reporting Period:** 10/12/18 - 12/6/18

## 1. Introduction

### 1.1 Background

Site Number:	A26F	Contract Number:	EP-S2-15-01
D.O. Number:	TO59	Action Memo Date:	12/6/2018
Response Authority:	CERCLA	Response Type:	Emergency
Response Lead:	EPA	Incident Category:	Removal Action
NPL Status:	Non NPL	Operable Unit:	
Mobilization Date:	10/15/2018	Start Date:	10/12/2018
Demob Date:	10/17/2018	Completion Date:	10/17/2018
CERCLIS ID:	NYD002229269	RCRIS ID:	
ERNS No.:		State Notification:	
FPN#:		Reimbursable Account #:	

#### 1.1.1 Incident Category

An emergency Removal Action is warranted based on exposed friable asbestos-containing material (ACM) located in an easement that personnel traverse.

#### 1.1.2 Site Description

The Site is the location of the former Deferiet Paper Mill which began operations in 1899. As of today the facility is no longer operational however, there is an operating hydroelectric power plant owned by Brookfield Renewable Power, LLC (Brookfield) that is physically attached to the boiler room and sulfite room of the Site. The hydroelectric power-plant is located towards the rear of the site.

The facility encompasses approximately 48 acres with a series of buildings that housed the former paper mill and a hydroelectric power plant. The original mill manufactured paper of varying types, including newsprint and glossy magazine paper. The hydroelectric power plant was built by the mill to generate steam which supplied electrical power for the machinery as well as the facilities. The paper mill has been abandoned since the mid-2000s, and with the exception of the power plant, is in a severe state of disrepair.

In 2006, the property was auctioned off as a result of then owners filing bankruptcy. Deferiet Development,

LLC (Deferiet) purchased the Site for the purpose of recovering steel, brass and other metals. In the process of recovering metal, Deferiet also dismantled overhead, exterior steam pipes between the machine rooms and boiler room, leaving pipe wrapping with friable asbestos exposed to the elements. These two buildings flank an easement utilized daily by Brookfield employees to reach the main access point for the power plant. Brookfield employees were concerned because of potential exposure to friable asbestos whenever they accessed the easement. Brookfield raised their employees concerns to Jefferson County officials. An attorney representing Jefferson County on environmental matters referred the Site to the EPA.

#### **1.1.2.1 Location**

The Site is located at 400 Anderson Avenue in Deferiet Village, New York 13628. The coordinates for the Site are latitude 44.03918056, longitude -75.68388889. Residential properties border the Site to the north, northwest, west, and southwest. Over 200 people live in the neighborhood bordering the Site. The Site is an abandoned paper mill and the buildings are in various states of deterioration.

#### **1.1.2.2 Description of Threat**

There is an ongoing release of hazardous substances and pollutants or contaminants at the Site. Asbestos is designated as a CERCLA hazardous substance under 40 CFR Table 302.4 when friable. Friability is the ease with which a material can be crumbled, pulverized or reduced to powder when dry, by applying hand pressure. The degree of friability of the ACM determines the potential for fibers to be released into the air. Analysis of samples collected from the Site has identified friable asbestos present in the easement traversed by Brookfield personnel to access their hydroelectric building. There is a significant threat to human health for individuals who may come in contact with this uncontrolled release of friable asbestos.

#### **1.1.3 Preliminary Removal Assessment/Removal Site Inspection Results**

On June 6, 2017, EPA and Removal Support Team (RST) contractors surveyed the Site with personnel from Brookfield. All buildings were observed to be vacant and several structures were partially demolished, had been allowed to fall into disrepair and were impacting the structural integrity of the hydropower plant. Many building facades were observed to have openings from the extraction of large equipment that may have been sold or scrapped. The large complex appeared to be accessed by trespassers routinely, as evidence of such was commonly found throughout the Site. Suspected asbestos-containing material (SACM) was observed to be exposed to weather conditions, damaged, hanging from numerous structures including equipment and piping, and present on various surfaces and throughout the interior and exterior of the structures.

On June 7, 2017, EPA and RST contractors collected 30 samples of SACM for asbestos analysis. Samples were collected from equipment, debris piles, roofing systems, pipe insulation, equipment jackets, ceiling tiles and debris located throughout the Site. Seven samples (all insulation) were positive for the detection of asbestos, with concentrations ranging from 3.12% - 25% chrysotile, 12.5% crocidolite, and 9.38% - 30% amosite asbestos. ACM was found in the turbine room, boiler room, machine room and wet/beater room.

On May 8, 2018, EPA and RST contractors collected 17 SACM samples for asbestos analysis. Samples were collected from the exposed pipe insulation in the easement area, former company garage building, machine room, and multiple debris piles. Samples of brick and mortar were collected from debris piles. The samples in the easement were collected from pipe insulation that had been encapsulated during an initial emergency removal action at the Site, RV1, but had since become exposed due to deterioration of the encapsulant. Seven samples (all insulation) were positive for the detection of asbestos, with concentrations ranging from <1.0% - 30.8% chrysotile, 4.88% - 7.69% crocidolite, and 2.56% - 15.8% amosite asbestos. The maximum concentrations found in the easement were 14.30% chrysotile, 7.69% crocidolite, and 15.80% amosite asbestos.

## **2. Current Activities**

### **2.1 Operations Section**

#### **2.1.1 Narrative**

Analysis of samples collected from the Site identified friable asbestos present in the easement traversed by Brookfield personnel to access their hydroelectric building. There is a significant threat to human health for individuals who may come in contact with an uncontrolled release of friable asbestos. An emergency removal action was conducted to mitigate this threat.

#### **2.1.2 Response Actions to Date**

On October 12, 2018, a verbal authorization pursuant to CERCLA to initiate an emergency removal action (RV3) at the Site was requested and granted. EPA's Emergency and Rapid Response Services (ERRS) contractor was activated the same day.

On October 15, 2018, EPA and ERRS mobilized to the Site to perform the work to be outlined in the Action Memo.

On October 16, 2018, ERRS personnel, utilizing New York State Department of Labor (NYSDOL) licensed subcontractors, applied an encapsulant to friable ACM located in the easement that is traversed by Brookfield personnel. A 135 foot manlift was utilized to access all areas in the easement requiring encapsulation. Seven gallons of automotive undercoating material was applied to areas of exposed ACM by low pressure, high volume spraying. This work was completed in one day. Air monitoring using two DustTrak DRX units was performed during encapsulant application activities.

On October 17, 2018, RV3 was completed when all EPA and ERRS personnel demobilized from the Site and all work outlined in the Action Memo was completed. No further mobilization to perform this emergency removal action (RV3) is anticipated.

#### **2.1.3 Enforcement Activities, Identity of Potentially Responsible Parties (PRPs)**

EPA has identified Deferiet Development LLC as the owner of the facility.

#### **2.1.4 Progress Metrics**

The removal action was completed on October 17, 2018. No waste was removed from the Site.



## **2.2 Planning Section**

### **2.2.1 Anticipated Activities**

No additional activities are anticipated for this removal action.

#### **2.2.1.1 Planned Response Activities**

No additional activities are anticipated for this removal action.

#### **2.2.1.2 Next Steps**

No additional activities are anticipated for this removal action. EPA is exploring options for removal of ACM located throughout the Site.

#### **2.2.2 Issues**

No issues were encountered during this removal action.

### **2.3 Logistics Section**

All logistics were handled and monitored by the appropriate contractor or agency.

### **2.4 Finance Section**

#### **2.4.1 Narrative**

On October 12, 2018, the ERRD Acting Director approved a verbal authorization for the amount of \$52,000, of which \$50,000 is for the mitigation contractor. The Action Memorandum was approved on December 6, 2018, as a ceiling increase.

An initial emergency removal action ("RV1") was initiated on February 25, 2016 and was completed on August 30, 2016. The total project ceiling authorized for the RV1 action was \$150,000, all of which was for mitigation contracting. Another removal action ("RV2") was initiated on July 11, 2017 and was completed on November 16, 2017. A project ceiling increase of \$282,000, of which \$200,000 was for mitigation contracting, was authorized for the RV2 action and the revised total project ceiling authorized was \$432,000, of which \$350,000 was for mitigation contracting. A project ceiling increase of \$52,000, of which \$50,000 was for mitigation contracting, was authorized for the RV3 action described herein. The new total project ceiling authorized for the Site is now \$484,000, of which \$400,000 is for mitigation contracting.

### **2.5 Other Command Staff**

#### **2.5.1 Safety Officer**

The EPA OSC is in charge of overall safety at the Site. The ERRS RM has been designated as the Site safety officer. A Health and Safety Plan was generated by ERRS.

#### **2.5.2 Liaison Officer**

The EPA OSC is performing the activities of a Liaison Officer. The OSC is coordinating operations between the ERRS contractor(s) and the local officials. Meetings with Village Officials and the public will be coordinated with the OSC.

#### **2.5.3 Information Officer**

Michael Basille is the designated Community Involvement Coordinator for the Site and can be reached at 716-551-4410.

## **3. Participating Entities**

### **3.1 Unified Command**

Unified Command has not been set up for this site.

### **3.2 Cooperating Agencies**

NYSDOL, NYSDEC, Jefferson County, and Deferiet Village

## **4. Personnel On Site**

EPA: 1  
1 OSC

ERRS: 3  
1 Response Manager  
2 Field Technicians

The above personnel were on-site from October 15 to 17, 2018.

## **5. Definition of Terms**

ACM - Asbestos-containing Materials

Assisting and Cooperating Agencies - Agencies who are assisting the EPA response, but are not a part of Unified Command.

CERCLA - Comprehensive Environmental Response, Compensation, and Liability Act

ERRD - Emergency and Remedial Response Division

ERRS - Emergency and Rapid Response Services

Monitoring - Using equipment which will give limited real-time information about constituents in environmental media. This method is used most often for air and water testing.

NPL - National Priorities List

NYSDEC - New York State Department of Environmental Conservation

NYSDOL - New York State Department of Labor

OSC - On-Scene Coordinator

RCRA - Resource Conservation and Recovery Act

RFP - Request for Proposal

RM - Response Manager

RST - Removal Support Team

RV1 - Removal Action 1

RV 2 - Removal Action 2

RV 3 - Removal Action 3

**Sampling** -The process of taking environmental media for analysis at a laboratory of its constituents. These tests may require multiple days to complete, but test for a wider array of constituents than monitors.

**Unified Command** - A structure based on the Incident Command System (ICS) that brings together the Incident Commanders of all major organizations involved in the incident in order to coordinate an effective response, while at the same time allowing each to carry out their own jurisdictional, legal, and functional responsibilities.

## **6. Additional sources of information**

### **6.1 Internet location of additional information/report**

Site website: [https://response.epa.gov/site/site\\_profile.aspx?site\\_id=14023](https://response.epa.gov/site/site_profile.aspx?site_id=14023)

### **6.2 Reporting Schedule**

There is no additional information to report at this time.

## **7. Situational Reference Materials**

No situational reference materials at this time.